

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

SAMANTHA SANTORO,

2:12-CV-1048 JCM (CWH)

Plaintiff,

V.

MACY'S WEST STORES, INC., et al.,

Defendants

ORDER

15 Presently before the court is plaintiff Samantha Santoro's motion to amend/correct complaint.
16 (Doc. #7). Plaintiff attached a copy of her proposed amended complaint to the motion. (Doc. #7,
17 Ex. 1). Defendant Macy's West Stores, Inc. failed to file an opposition.

Pursuant to Federal Rule of Civil Procedure 15(a), leave to amend “shall be freely given when justice so requires.” Absent a showing of an “apparent reason” such as undue delay, bad faith, dilatory motive, prejudice to the defendants, futility of the amendments, or repeated failure to cure deficiencies in the complaint by prior amendment, it is an abuse of discretion for a district court to refuse to grant leave to amend a complaint. *Moore v. Kayport Package Express, Inc.*, 885 F.2d 531, 538 (9th Cir. 1989). Further, under Nevada Local Rule 7-2(d), “the failure of an opposing party to file points and authorities in response to any motion shall constitute a consent to the granting of the motion.”

26 Here, defendant has failed to oppose the motion to amend/correct complaint, and there is no
27 apparent reason to refuse to grant leave to amend. *See Moore*, 885 F.2d at 538; Local Rule 7-2(d).

1 || Accordingly,

2 IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that plaintiff Samantha
3 Santoro's motion to amend/correct complaint (doc. #7) be, and the same hereby is, GRANTED.
4 Plaintiff shall file the attached proposed amended complaint on or before August 3, 2012.

5 || DATED July 26, 2012.

James C. Mahan
UNITED STATES DISTRICT JUDGE